



General Assembly

January Session, 2007

Raised Bill No. 1088

LCO No. 3797

* ____SB01088GL____022707____*

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING THE PRACTICE OF PHARMACY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-578 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Information received by the department, the commission or the
4 Department of Public Health, through filed reports or inspection or as
5 otherwise authorized under chapters 418 and 420b and sections 20-570
6 to 20-630, inclusive, shall not be disclosed publicly in such a manner as
7 to identify individuals or institutions, except in a proceeding involving
8 the question of licensure or the right to practice. Nothing in this section
9 shall be construed to prohibit the commissioner from disclosing
10 information gained through the inspection of pharmacies and outlets
11 holding permits for the sale of nonlegend drugs if the commissioner
12 considers such disclosure to be in the interest of public health.

13 (b) Notwithstanding the provisions of subsection (a) of this section,
14 section 21a-265 and chapter 55, the Commissioners of Consumer
15 Protection and Public Health and the authorized agents of said
16 commissioners, in carrying out their duties under subsection (a) of this

17 section, may: (1) Exchange information relating to a license or
 18 registration issued by their respective agencies, or (2) exchange
 19 investigative information relating to violations of this chapter with
 20 each other, with the Chief State's Attorney and with agencies charged
 21 with the enforcement of pharmacy or drug laws of the United States,
 22 this state and all other jurisdictions.

23 Sec. 2. Section 20-609 of the general statutes is repealed and the
 24 following is substituted in lieu thereof (*Effective October 1, 2007*):

25 (a) A pharmacy license shall be conspicuously posted within the
 26 pharmacy.

27 (b) Any person owning, managing or conducting any store, shop or
 28 place of business not being a pharmacy who exhibits within or upon
 29 the outside of such store, shop or place of business, or includes in any
 30 advertisement the words "drug store", "pharmacy", "apothecary",
 31 "drug", "drugs", "medicine shop", or any combination of such terms or
 32 any other words, displays or symbols indicating that such store, shop
 33 or place of business is a pharmacy shall be fined not more than two
 34 hundred dollars or imprisoned not more than thirty days or both. The
 35 provisions of this subsection shall not apply to any person who
 36 provides pharmacy related services directly to pharmacies or
 37 practitioners and does not offer such services and drugs or medical
 38 services directly to the public.

39 Sec. 3. Section 21a-322 of the general statutes is repealed and the
 40 following is substituted in lieu thereof (*Effective October 1, 2007*):

41 The commissioner may suspend, revoke or refuse to renew a
 42 registration, place a registration on probation, place conditions on a
 43 registration and assess a civil penalty of not more than one thousand
 44 dollars per violation of this chapter, for sufficient cause. Any of the
 45 following shall be sufficient cause for [suspension, revocation or
 46 refusal to renew] such action by the commissioner: (1) The furnishing
 47 of false or fraudulent information in any application filed under this

48 chapter; (2) conviction of a [felony] crime under any state or federal
 49 law relating to [any] the registrant's profession, controlled [substance]
 50 substances or drugs or fraudulent practices, including, but not limited
 51 to, fraudulent billing practices; (3) failure to maintain effective controls
 52 against diversion of controlled substances into other than duly
 53 authorized legitimate medical, scientific, or commercial channels; (4)
 54 the suspension, revocation, expiration or surrender of the practitioner's
 55 federal controlled substance registration; (5) prescribing, distributing,
 56 administering or dispensing a controlled substance in schedules other
 57 than those specified in the practitioner's state or federal registration or
 58 in violation of any condition placed on the practitioner's registration;
 59 (6) the restriction, suspension, revocation or limitation of a professional
 60 license or certificate as a result of a proceeding pursuant to the general
 61 statutes; (7) abuse or excessive use of drugs; (8) possession, use,
 62 prescription for use or distribution of controlled substances or legend
 63 drugs, except for therapeutic or other proper medical or scientific
 64 purpose; [and] (9) a practitioner's failure to account for disposition of
 65 controlled substances as determined by an audit of the receipt and
 66 disposition records of said practitioner; and (10) failure to keep records
 67 of medical evaluations of patients and all controlled substances
 68 dispensed, administered or prescribed to patients by a practitioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	20-578
Sec. 2	<i>October 1, 2007</i>	20-609
Sec. 3	<i>October 1, 2007</i>	21a-322

GL *Joint Favorable*